Claim 32, leaving for the Examiner's present consideration Claims 32-56. Reconsideration of the rejections is requested.

I.    Summary of Examiner's Rejections

Claims 31-56 were rejected under 35 U.S.C. §102(e) as being anticipated by *Kaufman*, U.S. Patent No. 6,034,621.

II.    Summary of Applicants' Response

Claim 31 has been canceled.

Claim 32 has been re-written in independent form and Claim 35 has been amended to depend from now-independent Claim 32.

III.    Substitute Specification

A substitute specification was submitted on January 10, 2002 that corrected grammatical and typographical errors. The present Office Action does not identify or acknowledge acceptance of the substitute specification.

Accordingly, the Examiner is requested to inform Applicants as to the current status of the substitute specification.

IV.    Response to Rejections

A.    Rejections Under 35 U.S.C. §102(e).

Claims 31-56 were rejected under 35 U.S.C. §102(e) as being anticipated by *Kaufman* (U.S. Patent No. 6,034,621). Claim 31 has been canceled and each of the limitations have been

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incorporated into now independent Claim 32. Accordingly, the Examiner's rejection with respect to Claim 31 will be addressed under now independent Claim 32.

*Kaufman* teaches wireless remote synchronization of data between a Personal Computer ("PC") and a Personal Digital Assistant ("PDA"). *Kaufman*, Title. As cited by the Examiner, synchronization of data in *Kaufman* occurs "after each update or change to either data file. Thus, as a data base cell is changed in either data file. . . the same changes are mirrored to the other data file." *Id.*, col. 4, lines 31-37. However, while *Kaufman* does teach wireless remote synchronization of data between a PC and a PDA, *Kaufman* does not teach each of the limitations of Claims 32-56 and thus cannot anticipate Claims 32-56.

### 1. Claims 32-35.

Claim 32 has been re-written in independent form to include each of the limitations of original Claim 31. Claim 32 calls for, among other limitations, "determining, subsequent to said step of identifying a corresponding item of information, whether said selected item of information is more recent than said corresponding item of information." *Kaufman* does not teach this limitation.

As described above, *Kaufman* only teaches synchronizing data once a change has occurred. There is no "determination" as to what data file is the most recent. To synchronize data after a change occurs, as described in *Kaufman,* requires that the PC and PDA be in communication at the time of the change. Unlike *Kaufman,* performing the step of "determining...whether said selected item of information is more recent than said corresponding item of information" does require that the two devices be in communication when a change occurs. The synchronization claimed in Claim 32 can be performed at any time after a change to a file has occurred.

Thus, since *Kaufman* does not teach each of the limitations of Claim 32, *Kaufman* cannot anticipate Claim 32.

Claims 33-35 each ultimately depend from independent Claim 32, and should therefore be patentable for at least the same reasons as independent Claim 32.

It is further submitted that Claims 33-35 add their own limitations which render them patentable in their own right. Applicants reserve the right to argue these limitations should it become necessary in the future.

Accordingly, Claims 32-35 are believed patentable under 35 U.S.C. §102(e) over *Kaufman,* and withdrawal of the Examiner's rejection of Claims 32-35 based on 35 U.S.C. §102(e) is requested.

## 2.    Claims 36-38.

The Examiner states that Claim 36 "is similar to claim 1; therefore, it is rejected under the same rationale." Office Action, p. 4. Applicants assume that the Examiner intended to refer to Claim 31 when referring to Claim 1, since Claim 1 is no longer pending. If this assumption is inaccurate, Applicants request that the Examiner immediately notify the undersigned attorney.

Assuming Applicants' assumption is accurate, contrary to the Examiner's understanding of Claim 36, Claim 36 differs from Claim 31 in many respects. As an initial distinction, Claim 31 claimed "[a] method for synchronizing information between a first computer and a second computer," whereas, Claim 36 claimed "[a] method for remotely obtaining with a second computer, an item of information stored on a first computer." Unlike Claim 31, there is no limitation in Claim 36 that there be "a corresponding item of information stored on said second computer." Additionally, there was no limitation in Claim 31 of "identifying with said second computer said item of information stored on said first computer," as called for in Claim 36.

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Referring now to *Kaufman*, there is no teaching or suggestion in *Kaufman* of "identifying with said second computer said item of information stored on said first computer," as called for in Claim 36. As discussed above, *Kaufman* teaches wireless remote synchronization of data on a PC with data on a PDA. The synchronization occurs when one of the data files is changed. There is no discussion of using one of the computing devices (the PC or PDA) to identify an item of information on the other device. Additionally, there is no teaching of "retrieving said item of information from said first computer," as called for in Claim 36. To the contrary, when a change occurs on one device the new data is sent to the other device. There is no retrieval.

Thus, since *Kaufman* does not teach each of the limitations of Claim 36, *Kaufman* cannot anticipate Claim 36.

Claims 37-38 each ultimately depend from independent Claim 36, and should therefore be patentable for at least the same reasons as independent Claim 36.

It is further submitted that Claims 37-38 add their own limitations which render them patentable in their own right. Applicants reserve the right to argue these limitations should it become necessary in the future.

Accordingly, Claims 36-38 are believed patentable under 35 U.S.C. §102(e) over *Kaufman*, and withdrawal of the Examiner's rejection of Claims 36-38 based on 35 U.S.C. §102(e) is requested.

### 3. Claims 39-40.

Claim 39 claims "[a] method for remotely providing to a first computer an item of information stored on a second computer." The claim includes, among other limitations, "identifying, with said second computer, a storage location on said first computer for storing said item of information."

The Examiner asserts that the limitation of "identifying, with said second computer, a storage location on said first computer for storing said item of information" is "inherent in the system." Office Action, p. 5. Contrary to the Examiner's assertion, *Kaufman* describes two embodiments for synchronizing information, a "two-way paging network" ( Fig. 1), and a "one-way paging system" (Fig. 2). In both systems, the PC includes a synchronizing routine and the PDA includes another synchronizing routine. The transmitting device, for example the PC, connects to either a two-way paging network or a one-way paging network and transmits the data file. The network then sends the data to the other device, such as the PDA. *See, Kaufman*, col. 3, line 44 - col. 6, line 47.

In the two-way paging system the only interaction between the two devices is an acknowledgment that data has been received. *Id.*, col. 6, lines 38-44. In the one-way paging system there is no interaction between the two devices. *Id.* Thus, there is no "identifying, with said second computer, a storage location on said first computer for storing said item of information," as called for in Claim 39.

Therefore, since *Kaufman* does not teach each of the limitations of Claim 39, *Kaufman* cannot anticipate Claim 39.

Claim 40 depends from independent Claim 39, and is believed patentable for at least the same reasons as independent Claim 39.

It is further submitted that Claim 40 adds its own limitations which render it patentable in its own right. Applicants reserve the right to argue these limitations should it become necessary in the future.

Accordingly, Claims 39-40 are believed patentable under 35 U.S.C. §102(e) over *Kaufman*, and withdrawal of the Examiner's rejection of Claims 39-40 based on 35 U.S.C. §102(e) is requested.

4. **Claims 41-44.**

Claim 41 claims "[a] work monitor for monitoring events and activities occurring on a computing device." The method includes, among other limitations, "a first monitoring means, for monitoring said computing device for an occurrence of at least one activity; a second monitoring means, for monitoring said computing device for an occurrence of at least one event; and, a log generating means, for generating a log responsive to the occurrence of an event or activity monitored on said computing device."

The Examiner does not identify where *Kaufman* teaches any of these limitations. Applicants submit that *Kaufman* does not teach any of these limitations. For example, there is no discussion of "a first monitoring means" and a "second monitoring means." As discussed above, *Kaufman* only teaches wireless remote synchronization of data between a PC and a PDA. That synchronization occurs in response to a data file being changed. If the Examiner intends to equate the change of a data file in *Kaufman* as "at least one activity," which is inaccurate, then *Kaufman* does not teach "a second monitoring means, for monitoring. . . an occurrence of at least one event," as called for in Claim 41.

Moreover, there is also no discussion in *Kaufman* of "a log generating means, for generating a log responsive to the occurrence of an event or activity," as called for in Claim 41.

Thus, since *Kaufman* does not teach each of the limitations of Claim 41, *Kaufman* cannot anticipate Claim 41.

Claims 42-44 each ultimately depend from independent Claim 41, and should therefore be patentable for at least the same reasons as independent Claim 41.

It is further submitted that Claims 42-44 add their own limitations which render them patentable in their own right. Applicants reserve the right to argue these limitations should it become necessary in the future.

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Accordingly, Claims 41-44 are believed patentable under 35 U.S.C. §102(e) over *Kaufman*, and withdrawal of the Examiner's rejection of Claims 41-44 based on 35 U.S.C. §102(e) is requested.

### 5.    Claim 45.

Independent Claim 45 claims "[a] control center interface for a synchronization system located on a first computing device." The control center interface includes, among other limitations, "a work monitor interface, including information identifying an occurrence of an event or activity; and a file synchronization interface, providing the ability to select at least one item of information, contained on said first computing device, for synchronization with a second computing device."

The Examiner asserts that a work monitor interface is "inherent in the system in order to identify changes to data files." Office Action, p. 5. A "work monitor interface," as part of "[a] control center interface," as called for in independent Claim 45, is an interface for users that identifies to a user "an occurrence of an event or activity" (see, for example, Figs. 5 and 8). "[A] file synchronization interface," as part of "[a] control center interface," as called for in Claim 45, is an interface for users that "provid[es] the ability to select at least one item of information" (see, for example, Figs. 5 and 12).

There is no discussion in *Kaufman* of any type of control center interface as called for in Claim 45 that includes: (1) a "work monitor interface" that identifies to a user an occurrence of an event or activity; and (2) a "file synchronization interface" that provides a user with the ability to select at least one item of information. In fact there is no discussion of any type of user interface other than typical programs such as calendering programs.

Thus, since *Kaufman* does not teach each of the limitations of Claim 45, *Kaufman* cannot anticipate Claim 45.

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### i.  Claims 46-50, 52-54, and 56.

Claims 46-50, 52-54, and 56 each ultimately depend from independent Claim 45, and should therefore be patentable for at least the same reasons as independent Claim 45.

Additionally, the Examiner does not identify where in *Kaufman* the limitations of any of Claims 46-50, 52-54, and 56 are disclosed. Applicants submit that indeed *Kaufman* does not teach any of those limitations.

If the Examiner still believes that *Kaufman* teaches the limitations called for in dependent Claims 46-50, 52-54, and 56, Applicants request that the Examiner identify where in *Kaufman* those limitations are disclosed.

Accordingly, Claims 46-50, 52-54, and 56 are believed patentable under 35 U.S.C. §102(e) over *Kaufman,* and withdrawal of the Examiner's rejection of Claims 46-50, 52-54, and 56 based on 35 U.S.C. §102(e) is requested.

### ii.  Claim 51.

Claim 51 depends from independent Claim 45 and is believed patentable for at least the same reasons as independent Claim 45.

Additionally, Claim 51 includes the limitation of "wherein said file synchronization interface includes: an information addition module, for adding an identification of information to said list." As discussed above, there is no teaching in *Kaufman* of a "control user interface" that includes "a file synchronization interface." Moreover, there is no teaching of an information module, for adding an identification of information to said list," as called for in dependent Claim 51. The Examiner asserts that this limitation is "inherent in the system in order to add information to the existing list, col. 5, lines 36-40." Office Action, p. 6. Column 5, lines 36-40 of *Kaufman* states:

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"For example, in a long meeting, the user of the PDA 602 does not have to excuse him or herself to plug the PDA 602 into the telephone system and press an "on-demand" selection switch or other means to get updated, synchronized information about changed or added appointments."

This citation does not make an "information module" inherent in *Kaufman*. In fact, *Kaufman* only describes wireless remote "synchronization of calendar and contact-related data." *Id.,* col. 1, lines 9-10. Thus, since only certain types of data are synchronized in *Kaufman* there is no purpose for an "information module, for adding an identification of information to said list," as called for in dependent Claim 51.

Thus, since *Kaufman* does not teach each of the limitations of Claim 51, *Kaufman* cannot anticipate Claim 51.

Accordingly, Claim 51 is believed patentable under 35 U.S.C. §102(e) over *Kaufman,* and withdrawal of the Examiner's rejection of Claim 51 based on 35 U.S.C. §102(e) is requested.

### iii. Claim 55.

Claim 55 depends from independent Claim 45 and is believed patentable for at least the same reasons as independent Claim 45.

Additionally, Claim 55 includes the limitation of "wherein said file synchronization system includes: a synchronization progress interface, displayed as a result of selection of said begin synchronization module, identifying the progress of synchronization information between said first computing device and said second computing device."

The Examiner states that this limitation is inherent in *Kaufman* "in order to scheduling and managing information, col. 1, lines 14-32; fig. 1." Office Action, p. 6. Column 1, lines 14-32 of *Kaufman* describes types of programs, such as a scheduling program for managing appointments and organizing personal information, that a user would like to be able to keep synchronized between a PC and a PDA. *Id.,* col. 1, lines 14-32. There is no discussion of "a

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synchronization progress interface, displayed as a result of selection of said begin synchronization module, identifying the progress of synchronization information," as called for in Claim 55. Indeed, column 1, lines 14-32 of *Kaufman* do not even discuss the progress of, or even how, synchronization of two devices occurs.

Thus, since *Kaufman* does not teach each of the limitations of Claim 55, *Kaufman* cannot anticipate Claim 55.

Accordingly, Claim 55 is believed patentable under 35 U.S.C. §102(e) over *Kaufman,* and withdrawal of the Examiner's rejection of Claim 55 based on 35 U.S.C. §102(e) is requested.

## V.    Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned before an advisory action is issued in order to avoid any unnecessary filing of an appeal.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: _05/20/02_

By: _____
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## APPENDIX

In the Claims:

31.    (Canceled).

32.    (Once Amended).    [The method of Claim 31, further including the step of:] A method for synchronizing information between a first computer and a second computer, comprising the steps of:

selecting an item of information stored on said first computer;

identifying a corresponding item of information stored on said second computer;

determining, subsequent to said step of identifying a corresponding item of information, whether said selected item of information is more recent than said corresponding item of information; and,

[wherein said step of replacing said corresponding item of information includes:]

replacing said corresponding item of information stored on said second computer with said selected item of information stored on said first computer, only if it is determined that said selected item of information is more recent than said corresponding item of information.

35.    (Once Amended).    The method of Claim [31] 32, wherein said step of replacing said corresponding item of information stored on said second computer with said selected item of information stored on said first computer, replaces said corresponding item of information with a copy of said selected item of information.

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